

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JIMMY McCLENDON, et al.**

**Plaintiffs,**

**vs.**

**Case No. 95 CV 24 JAP/ACT**

**CITY OF ALBUQUERQUE, et al.**

**Defendants,**

**vs.**

**E.M., R.L., W.A., D.J., P.S., and N.W., on behalf  
of themselves and others similarly situated,**

**Plaintiff-Intervenors.**

**MEMORANDUM OPINION AND ORDER  
OVERRULING OBJECTION TO MAGISTRATE JUDGE'S ORDER**

On October 12, 2012, Magistrate Judge Alan C. Torgerson issued a MEMORANDUM OPINION AND ORDER (Doc. No. 962) (Opinion and Order) denying PLAINTIFFS' AND PLAINTIFF-INTERVENORS' JOINT MOTION FOR ENFORCEMENT OF INTERIM ORDER REGARDING ACCESS TO THE MDC (Doc. No. 945) (Joint Motion for Enforcement). On October 26, 2012, PLAINTIFFS AND PLAINTIFF-INTERVENORS' JOINT OBJECTIONS TO MEMORANDUM OPINION AND ORDER ON JOINT MOTION FOR ENFORCEMENT OF INTERIM ORDER REGARDING ACCESS TO THE MDC (Doc. No. 965) (Objection) was filed.<sup>1</sup> Since the Joint Motion for Enforcement, the Opinion and

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<sup>1</sup> In ruling on the Joint Motion for Enforcement, the Court has also considered COUNTY DEFENDANT'S RESPONSE TO JOINT OBJECTIONS (Doc. No. 971) and PLAINTIFFS AND PLAINTIFF-INTERVENORS' JOINT REPLY TO COUNTY DEFENDANT'S RESPONSE TO THE JOINT OBJECTIONS (Doc. No. 974).

Order, and the Objection were filed this case has moved in a substantially different direction and may be nearing settlement. Due to the current posture of the case, the Court will overrule the Objection without prejudice at this time. If the direction of this case changes, Plaintiffs and Plaintiff-Intervenors may renew the Objection, and it will be considered on the merits.

IT IS ORDERED that PLAINTIFFS AND PLAINTIFF-INTERVENORS' JOINT OBJECTIONS TO MEMORANDUM OPINION AND ORDER ON JOINT MOTION FOR ENFORCEMENT OF INTERIM ORDER REGARDING ACCESS TO THE MDC (Doc. No. 965) are overruled without prejudice.

  
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SENIOR UNITED STATES DISTRICT JUDGE